



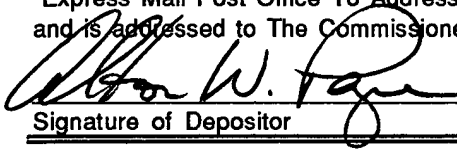
*\$315<sup>00</sup> 201 A*  
07/699700

**"EXPRESS MAIL" CERTIFICATE**

NUMBER: RB 113081848

DATE OF DEPOSIT: May 14, 1991

I hereby certify that this paper or fee is being deposited with the United States Postal Service - "Express Mail Post Office To Addressee" Service under 37 CFR 1.10 on the above indicated date and is addressed to The Commissioner of Patents and Trademarks, Washington, D.C. 20231

*Petition TO App 267*  
  
Signature of Depositor

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
PATENT EXAMINING OPERATION**

In re Application of:  
JORAM AGAR

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Group Art Unit: 267

Serial No.: (Divisional of 311,610)

Examiner: H. E. Williams

Filed: May 14, 1991

For: APPARATUS FOR  
DETERMINING THE  
PERCENTAGE OF A FLUID IN  
A MIXTURE OF FLUIDS

Parent Atty Docket No.: AGA006  
New Atty Docket No.: AGA006A

**DIVISIONAL APPLICATION FILING**  
**UNDER 37 C.F.R. §1.60**

Honorable Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

SIR:

This is a request for filing a divisional application under 37 C.F.R. §1.60, of pending prior application serial number 07/311,610 filed on February 15, 1989 of Joram Agar for APPARATUS AND METHOD FOR DETERMINING THE PERCENTAGE OF A FLUID IN A MIXTURE OF FLUIDS.

**1. Copy of Prior Application as Filed Which is Attached.**

I, Alton W. Payne, hereby verify that the attached papers are a true copy of what is shown in my records to the above-identified prior application, including the oath or declaration originally filed (37 C.F.R. §1.60). The copy of the papers of the prior application as filed which are attached are as follows:

- 21 pages of specification,
- 4 pages of claims,
- 1 page of abstract,
- 3 sheets of drawings, and
- 3 pages of declaration and power of attorney.

**2. Amendments.**

Cancel in this application all original claims of the prior application, except claim 13, before calculating the filing fee. A preliminary amendment is enclosed.

**3. Fee Calculation.**

Enclosed is a check in the amount of \$315.00 which will cover the cost of small entity status filing for one independent claim -- claim 13.

**4. Small Entity Status.**

A verified statement confirming small entity status has been filed in the parent application and such status is still proper and desired (37 C.F.R. §1.28(a)). Therefore, a filing fee calculation of \$315 is proper.

**5. Drawings.**

Drawings are enclosed. Particularly, the 3 sheets of drawings from the prior application including Figs. 1, 2, 3, 4, 5, and 6 are included for prosecution in this application.

**6. Priority -- 35 U.S.C. §119.**

Priority of application serial no. 88/03124 filed on February 15, 1988 in Great Britain is claimed under 35 U.S.C. §119.

**7. Relate Back -- 35 U.S.C. §120.**

Amend the specification by inserting before the first line the sentence: "This is a divisional of copending application serial number 311,610 filed on February 15, 1989 on APPARATUS AND METHOD FOR DETERMINING THE PERCENTAGE OF A FLUID IN A MIXTURE OF FLUIDS."

**8. Inventorship Statement.**

With respect to the prior co-pending U.S. application from which this application claims benefit under 35 U.S.C. §120, the inventor in this application is the same as the inventor in the previous application. The inventorship for the claim contained herein is the same as the previous application.

**9. Assignment.**

The prior application is assigned of record to Agar Corporation, Ltd., Westbay Road, Grand Cayman, Cayman Islands. An assignment

of the present invention is also to be recorded for Agar Corporation, Ltd., Westbay Road, Grand Cayman, Cayman Islands.

**10. Fee Payment Being Made at This Time.**

The following payments are being made at this time:

Basic filing fee	\$315.00
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<b>Total Fees Enclosed</b>	<b>\$315.00</b>
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**11. Method of Payment of Fees.**

Enclosed is a check in the amount of \$315 (Three hundred Fifteen dollars). Please charge Account No. 19-3884 for any additional amounts which may be necessary in processing this application. A duplicate of this request is attached.

**12. Authorization To Charge Additional Fees.**

The Commissioner is hereby authorized the following additional fees which may be required by this paper and during the entire pendency of the application to account no. 19-3884, for filing fees pursuant to 37 C.F.R. §1.16(a), (f) or (g) and for presentation of extra claims pursuant to 37 C.F.R. §1.16(b), (c) and (d). Also, the Commissioner is hereby authorized to charge the following additional fees which may be required by this paper and during the entire pendency of the application to Account No. 19-3884 for application processing fees pursuant to 37 C.F.R. §1.17.

**13. Power of Attorney.**

The power of attorney in the original papers in the prior application shall have the same effect in this present application.

Please address all future communications to:

601 Alton W. Payne  
602 Sroufe, Zamecki, Payne & Lundeen  
701 1700 West Loop South, Suite 1230  
702 Houston, Texas 77027  
713/840-8008.

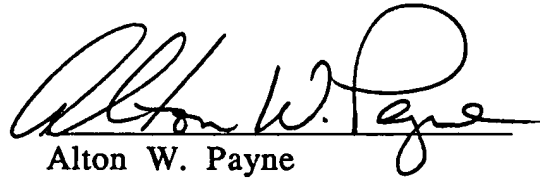
**14. Maintenance of Copendency of Prior Application.**

A petition, fee and response has been filed to extend the term of the pending prior application until May 26, 1991. A copy of the petition for extension of time in the prior application is attached.

\* \* \*

I hereby declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,



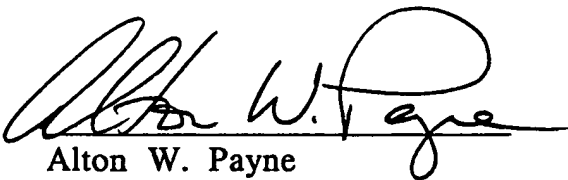
Alton W. Payne  
Reg. No. 30,350  
Attorney for Applicant

Sroufe, Zamecki, Payne & Lundeen  
1700 West Loop South  
Suite 1230  
Houston, Texas 77027  
713/840-8008

Date: May 14, 1991

Assignee:

Agar Corporation, Ltd.  
Westbay Road  
Grand Cayman, Cayman Islands,



Alton W. Payne  
Attorney of Record  
Authorized to sign on behalf of Assignee

Assignment Recorded in Patent and Trademark Office on February  
15, 1989. Number of pages 2. Reel No. 5042. Frame No. 0785.